

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Honorable Robert B. Kugler
	:	
v.	:	Criminal No. 02-417 (RBK)
	:	
MICHAEL RODRIGUEZ	:	<u>NOTICE OF MOTION</u>

TO: Christopher O'Malley, Esquire
Assistant Federal Public Defender
800 Cooper Street, Suite 350
Camden, New Jersey 08102

COUNSEL:

PLEASE TAKE NOTICE that on October 4, 2005, the United States, by and through its attorney, Christopher J. Christie, United States Attorney for the District of New Jersey, Jason M. Richardson and Kevin T. Smith, Assistant U.S. Attorneys, appearing, will move before the Honorable Robert B. Kugler, United States District Judge, for a downward departure under Section 5K1.1 of the United States Sentencing Guidelines in the scheduled sentencing of defendant Michael Rodriguez.

The United States will rely on oral argument and a letter brief filed under separate cover.

Respectfully submitted,

CHRISTOPHER J. CHRISTIE
United States Attorney

/s/ **Jason M. Richardson**

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Dated: September 21, 2005

CERTIFICATE OF MAILING

The undersigned hereby certifies that a copy of the within Motion of the United States was served upon the following persons by regular mail deposited at the United States Post Office on **September 21, 2005**:

Christopher O'Malley, Esquire
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s/ **Jason M. Richardson**
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